

SAFE FOOD DIGESTS

Monthly Newsletter

July 2019



Benton-Franklin Health District Food Safety Department

FOOD CODE UPDATES

The Washington State Department of Health (WA DOH) is working to revise the State Food Code, with an aim of having the new version effective in May 2020. State law requires the latest version of the Food and Drug Administration (FDA) Food Code be considered when adopting Washington State food safety rules, so the new code will incorporate the 2017 version of the FDA Food Code.

In addition to the updated FDA standards, WA DOH is working to incorporate standards to reflect issues that stakeholders and the Legislature have raised, such as mobile food unit standards, donated food standards, and rules for reducing waste with reusable food containers. See pages 02-03 for more about the upcoming code changes, as well as how you can participate in the process.

POLICY UPDATES

An updated version of the Benton-Franklin Health District's Food Establishment Enforcement Policy will be in effect July 1, 2019. The new policy includes updates to the minimum pass/fail point value for routine and follow-up inspections, updated application of follow-up fees, and stipulations for a new probationary status to be enforced after high point value inspections.

See page 03 for a summary of the updates.



LEADING VIOLATIONS

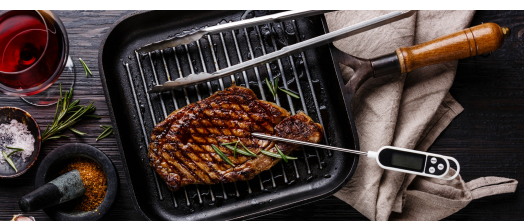
Browse the top red critical violations cited in local food establishments over the past four months and read strategies for preventing these risks in your establishment. p. 04

VAPE-FREE POLICIES

Search through the Benton-Franklin Health District's vape-free toolkit, which was developed to assist food establishments in adopting vape-free policies. p. 04

RECENT OUTBREAKS

A recent norovirus outbreak linked to a local restaurant was investigated by the Health District. Read about the investigation and lessons learned. p. 03



••FOOD CODE UPDATES: TOP CHANGES

The Washington State Department of Health (WA DOH), local health jurisdictions, and representatives from the food service industry have been working together for the past two years to revise the Food Code. Changes that may have a significant impact on your food establishment are highlighted. **A draft of the proposed changes can be found by [clicking here](#). Comments can be submitted at an upcoming public comment meeting to be held at the BFHD offices on July 16 (details below) or in writing to food.safety@doh.wa.gov by July 31, 2019.**

▶ **Proposed Food Rule, effective
MAY 1, 2020**

CERTIFIED FOOD PROTECTION MANAGER

Except in cases of certain low-risk food establishments, at least one person in charge at each food establishment will need to be a Certified Food Protection Manager (CFPM) by July 1, 2021. Becoming a CFPM means attending a course and passing a test to become certified through a program that has been evaluated and listed by a national accrediting agency. These courses require hours of advanced food safety learning and will ensure that active managerial control is being practiced in food establishments. A list of currently accepted CFPM programs [can be found here](#).

DATE MARKING FOODS

Food establishments will need to begin date marking most foods in opened packages. Perishable, ready-to-eat foods in opened packages that will be held for more than 24 hours will be required to have a date (opened-on or perishable-by) marked on the container, not to exceed seven days from opening the product. Foods found in unmarked containers during inspections will be required to be discarded. See the [draft code language](#) for a full list of exceptions.



DOGS IN OUTDOOR AREAS

Once the new code is in effect, food establishments may allow dogs in outdoor areas if the operator follows set procedures with a written, approvable plan. This allowance includes stipulations that dogs do not enter indoor areas, are on a leash, and that staff do not interact with dogs. Operators must have a written plan detailing cleanup procedures for animal waste prior to allowing dogs on their premises.

WRITTEN PLANS

The updated Food Code will require that operators create and maintain, in writing, certain policies and documentation for their food establishment. Specifically, establishments must create a written policy addressing the cleanup of vomiting/diarrheal events, must notify employees about reporting illness to the person in charge and be able to verify that they provided the notification, and must post a notification in their food establishment that their most recent inspection report is available on request.

MORE CODE CHANGES FOUND ON PAGE 3 •••▶

PUBLIC COMMENT MEETING JULY 16

WA DOH will be hosting a public meeting at Benton-Franklin Health District to discuss the new Food Code updates. The meeting will be July 16, 2019 from 2-4 p.m. and is open to all to attend. We encourage all food establishment operators to attend this meeting to voice any comments or concerns about the Food Code update.



FOOD CODE UPDATE: TOP CHANGES

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MOBILE FOOD UNITS

Several changes were made for mobile food units based on recent state law changes. The new code will allow for certain mobile food units to operate without a commissary. Additionally, a new system will be implemented allowing for reciprocal approval of plan reviews from one county to another. Mobile units will still be required to hold a permit in each county where they operate, but a plan review completed and approved in one county will now be honored by all counties within the state.

REUSABLE CONTAINERS

A new food code addition will allow consumer-owned, reusable containers to be returned to a food establishment for refilling. Food establishments will be allowed to refill consumer-owned containers, as long as the process is completed by a food employee. A food establishment may also allow consumers to refill their own reusable containers under a written, pre-approved plan.

FOOD-SPECIFIC CHANGES

The updated food code will include changes to specific food items. The cooking temperature for ground meats will be raised from 155°F to 158°F. Operators will be allowed to continue cooking ground meats to 155°F, with a dwell time of 17 seconds if the process is done under an approved plan. In addition to the changes in cooking temperature, operators will now be allowed to serve under-cooked, fresh-caught fin fish without freezing the product in advance. A specialized consumer advisory addressing parasite concerns must accompany all under-cooked, fresh-caught fin fish.

Enforcement Policy Updates

An updated version of the Benton-Franklin Health District's Food Establishment Enforcement Policy will be in effect on **July 1, 2019**. The new policy will change the minimum pass/fail point value for routine and follow-up inspections. Failure of a routine inspection is currently set at 25 red violation points and the new policy will raise this bar, with a failure minimum to be set at 35 or more red violation points. Failure of a follow-up inspection will occur when 10 or more repeat red violation points are earned or when the total sum of red violation points (repeat and newly earned) is 25 or more. While the point value threshold for failure is being raised, **the Health District will begin charging a fee for all follow-up inspections**, whereas current practice is to allow one free follow-up inspection.

In addition to the changes in the failure threshold, a new probationary status has been created to monitor and assist food establishments that repeatedly score poorly on their inspections. Food establishments that score 85 or more red violation points on an inspection will be placed on probationary status. Establishments on probation will be monitored for the duration of their next two routine inspections. A tailored risk-control plan will be implemented in these food establishments to control food safety risks; any inspections earning 85 or more red violation points will result in immediate closure of the food establishment during the probationary period.



VAPE-FREE POLICIES

Washington State Law protects the public from secondhand smoke by prohibiting smoking in public places and places of employment. As a private business owner, you also have the right to prohibit vaping on your premises. If you choose to enact a voluntary vaping prohibition policy, there are several best practice recommendations. Information on smoking and vapor prevention, including sample policies for business owners, can be found [here](#) but if you choose to draft your own, BFHD recommends that three key items are included in your vape-free premises policy.



Where is vaping prohibited?

Vaping should be prohibited indoors and in outdoor seating and dining areas where employees are required to work.



Enforce a reasonable distance

Vaping should be prohibited within 25 feet of all entrances, exits, windows, and ventilation intakes.



Post signs

Post "No Smoking. No Vaping" signs at all entrances and throughout the workplace in prominent locations.

Make sure any policy you enact applies to all people, including staff and customers, and that your staff are made aware of the new policy. Contact BFHD's Tobacco & Vapor Product Prevention Program at (509) 460-4258 or at the [web page here](#) for more information on vape-free policies, additional resources, or assistance with vape-free and smoke-free signage for your business.

RECENT FOODBORNE OUTBREAKS

BFHD investigated a norovirus outbreak linked to a local restaurant in February 2019. The outbreak of norovirus sickened 26 patrons and was linked back to an infectious food worker. After an outbreak of this nature, it becomes clear why it is so important to enforce strict staff illness policies in a food establishment.

The food establishment was closed for multiple days, and was subject to a weeks-long investigation. The Health District spent over 300 staff hours and roughly \$10,000 on investigating the outbreak.

Read about the full investigation and lessons learned by [clicking the link here](#) or visiting www.bfhd.wa.gov.



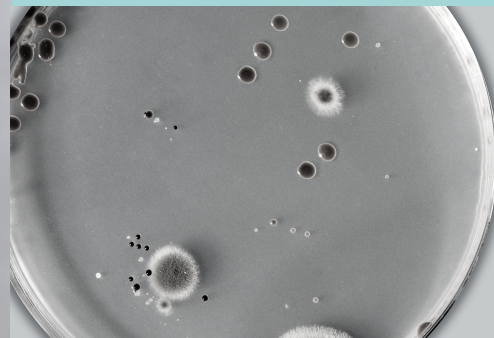
Foodborne Outbreak Report



Impact of an Outbreak Infographic

LEADING RED VIOLATIONS

Here are the top five red critical violations that were marked at local food establishments in the first four months of 2019.



1. Food worker education 193 violations

Visit www.foodworkercard.wa.gov for the State approved food worker training.

2. Improper cold holding 132 violations

3. Hand washing facilities 120 violations

4. Room temperature storage 79 violations

5. Improper hot holding 78 violations

Three out of the top five violations cited so far in 2019 are classified as "temperature abuse violations." Inspectors typically see that a lack of routine monitoring of temperature control equipment, like refrigerators or steam tables, contributes to the high number of violations in this area. BFHD recommends that equipment is monitored for proper operation, at a minimum, twice a day.